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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/787,137	03/14/2001	Michel Ruffin	Q63172	6322
23373	7590	09/21/2006		
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER PHAN, TRI H	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 09/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/787,137

Applicant(s)

RUFFIN ET AL.

Examiner

Tri H. Phan

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment/Arguments

1. This Office Action is in response to the Response/Amendment filed on June 22nd, 2006. Claims 1-5 are now pending in the application.

Priority

2. Should applicant desire to obtain the benefit of foreign priority under 35 U.S.C. 119(a)-(d) prior to declaration of an interference, a translation of the foreign application should be submitted under 37 CFR 1.55 in reply to this action.

Drawings

3. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.
4. The drawing is objected to because each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

5. The disclosure is objected to because of the following informalities: The figures 1&2 do not fully disclose in the "Details Description of the Invention" (Specification pages 3-4) for understanding the claimed invention.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by **Schaefer et al.** (U.S.6,157,927; hereinafter refer as '**Schaefer**').

- In regard to claim 1, **Schaefer** discloses, *a communication channel system* (for example see figure 1-3) *comprising*

a communication channel (for example see element 38 in figure 1; elements 64, 65 in figure 2);

a set of transaction initiators and consumers connected by said communication channel (for example see figures 1-2; col. 3, lines 55-57; col. 12, line 48 through col. 13, line 14; where

Art Unit: 2616

the X/Open DTP provides access and facilitates transaction process between client, e.g. “initiator”, and server, e.g. “consumer”, connected via connection 38, 65 in figures 1-2, as disclosed in col. 2, lines 25-61),

a logging service (‘resource manager of the X/Open DTP’; for example see col. 8, lines 25-54) *associated with said communication channel comprising an XA/RO interface* (“XA interface”; for example see figure 2; col. 4, lines 23-29, 57-65) *to enable a transactional system to perform transactional operations* (for example see col. 2, line 25 through col. 3, line 42; col. 10, lines 6-9; where the transaction properties are defined in col. 1, line 51 through col. 2, line 23) *on data stored in said logging service* (‘log record’; For example see col. 9, lines 18-44; where the log records store in secure storage as disclosed in figure 2).

- Regarding claim 2, **Schaefer** further discloses *the transactional communication system according to claim 1, further comprising a plurality of communication channels* (for example see col. 2, line 50 through col. 3, line 10; col. 8, lines 55 through col. 9, line 17; wherein different subordinate transactions for different transaction systems provide different connections, e.g. “*plurality of communication channels*”).

- In regard to claim 4, **Schaefer** further discloses *the communication channel system according to claim 1, wherein the XA/RO interface enables a monitor* (‘transaction manager TM’ in figure 2) *to apply correct termination of a transactional operation or incorrect termination of a transactional operation to the logged data* (for example see col. 4, lines 10-17; col. 27, lines

Art Unit: 2616

22-26; where the transactional operation is disclosed in col. 3, lines 19-42) *to confirm or cancel changes* (for example see figures 2-3; col. 10, lines 6-9; col. 14, lines 19-23).

- Regarding claim 5, **Schaefer** further discloses *the communication channel system according to claim 1, wherein the logging service stores all successive values of a variable and retains old values* (for example see col. 9, lines 18-44; where the transaction records, e.g. “*successive values*”, and log records, e.g. “*old values*”, for recovery are stored).

- In regard to claim 3, **Schaefer** discloses, *a method of communication between a set of transaction initiators and consumers* (for example see figures 1-2), *including intermediate communication channels* (for example see elements 38 in figure 1; elements 64, 65 in figure 2), *comprising:*

validating an operation in a logging service (‘resource manager of the X/Open DTP’; for example see col. 8, lines 25-54; col. 3, lines 19-42; col. 27, lines 22-26) *having an XA/RO interface* (“XA interface”; for example see figure 2; col. 4, lines 23-29, 57-65); *and*

storing the operation to enable recovery validated transactional operations (‘log record for recovery’; for example see col. 9, lines 31-44; col. 23, lines 1-42).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2616

Traversat et al. (U.S.6,115,715), **Pardon et al.** (U.S.6,671,686), **The Open Group** (GUIDE - Distributed Transaction Processing: Reference Model, Version 3, published by X/Open Company Ltd., U.K., February 1996, pp. 1-34) and **Donald A. Marsh, Jr.** (Global Transactions - X/Open XA - Resource Managers, Version 3.0 dated January 1, 2000, pp 1-23) are all cited to show devices and methods for improving the management database for the transaction processing in the networks, which are considered pertinent to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri H. Phan, whose telephone number is (571) 272-3074. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham can be reached on (571) 272-3179.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(571) 273-8300

Hand-delivered responses should be brought to Randolph Building, 401 Dulany Street, Alexandria, VA 22314.


Art Unit: 2616

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office, whose telephone number is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tri H. Phan
September 16, 2006



CHI PHAM
SUPERVISORY PATENT EXAMINER 9/18/06